

#9

PATENT  
51270-245618

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

K. OSAKABE

Serial No: 09/412,736

Filed: October 4, 1999

For: RECORDABLE OPTICAL DISK AND  
OPTICAL DISK RECORDING DEVICE  
UTILIZING PRE-RECORDED RECORDING  
SPEED INFORMATION

) Examiner: P.W. HUBER

) Art Unit: 2653

) **RECEIVED**

) JUL 03 2003

) **OFFICE OF PETITIONS**

**REQUEST FOR CONTINUED EXAMINATION (RCE)**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests continued examination of the above-referenced application. Please enter the attached Information Disclosure Statement (IDS). This Continuation Application is being filed so that the Examiner can consider a reference not previously of record contained in the accompanying IDS.

Applicant requests an action on the merits. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call either of the undersigned attorneys at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for

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allowance should the Examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date: July 2, 2003

By: James M. Wakely  
James M. Wakely  
Registration No. 48,597  
Attorney For Applicants

Date: July 2, 2003

By: Roger R. Wise  
Roger R. Wise  
Registration No. 31,204  
Attorney For Applicants

725 South Figueroa Street, Suite 2800  
Los Angeles, CA 90017-5406  
Telephone: (213) 488-7100  
Facsimile: (213) 629-1033

Inventor(s): K. OSAKABE

Apph. No.: 09

412,736

Series Code ↑

Serial No. ↑

Filed: OCTOBER 4, 1999

Mail Stop Non-Fee Amendment

Hon. Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

Group Art Unit 2653

Examiner: P. W. HUBER

Atty. Dkt. P 245618 H7250

M#

Client Ref

Appln. Title: RECORDING OPTICAL DISK AND  
OPTICAL DISK RECORDING DEVICE  
UTILIZING PRE-RECORDED  
RECORDING SPEED INFORMATION

**REPLY/AMENDMENT/LETTER**

Date: July 2, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

## 1. Small Entity claim

A. ☒ NOT madeB. ☐ WithdrawnC. ☐ made herewithD. ☐ made previously

For B &amp; C

See **Required****Separate Paper**

(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	17	**minus 20	0	x \$18/\$9 = + \$0	103/203
3. Independent Claims	8	***minus 8	0	x \$84/\$42 = + \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) ..... add				+ \$280/\$140 = + \$0	104/204
5. Original due Date:		<input checked="" type="checkbox"/> NONE			
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo) \$110/\$55 = (2 mos) \$410/\$205 = (3 mos) \$930/\$465 = (4 mos) \$1,450/\$725 = (5 mos) \$1,970/\$985 =	+ \$0		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0		
8.			<b>Extension Fee</b>	+ \$0	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....			+ \$110/\$55	+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c), ..... add			+ \$180	+ \$0	126
or if Rule 97(d) Request ..... add			+ \$180		126
11. After-Final Request Fee per rules 129(a) and 17(r) .....			+ \$750/370	+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b) .....			x \$750/375 ea	+ \$0	149/249
13. Request for Continued Examination (RCE) .....			+ \$750/375	+ \$750	1179/1279
14. Petition fee for Withdrawal from Issue .....				+ \$130	
15.			<b>TOTAL FEE =</b>	<b>\$880</b>	

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 051270 245618

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT **does not authorize** charge of the **issue fee** until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
Intellectual Property Group

By Atty: James Wakely

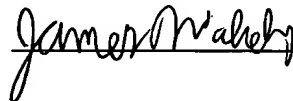
Reg. No. 48,597

725 South Figueroa Street, Suite 2800

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Sig:



Fax: (213) 629-1033

Tel: (213) 488-7186

Atty/Sec: JMW/mg

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
APPLICATION

In re: PATENT APPLICATION of:

Inventor(s): K. OSAKABE

Appln. No.: 09 412,736

Series Code ↑

Serial No. ↑

Group Art Unit 2653

Examiner: P. W. HUBER

Atty. Dkt. P 245618

H7250

Filed: OCTOBER 4, 1999

Title: RECORDABLE OPTICAL DISK AND  
OPTICAL DISK RECORDING DEVICE  
UTILIZING PRE-RECORDED RECORDING  
SPEED INFORMATIONR  
C  
E**DO NOT USE FOR PROVISIONAL,  
DIVISIONAL, CIP OR DESIGN  
APPLICATIONS, OR REEXAMINATION OF  
PATENTS**

Mail Stop RCE

Hon. Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Date:

July 2, 2003

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114**

Please continue the examination of this application.

**PREREQUISITES**This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.An issue fee **has not been** paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).**Prosecution has been closed as defined in Rule 114(b).****Reply to any outstanding action must be enclosed or previously filed.**

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

**Please consider the following before the next Official Action:**

1. Please ☒ enter ☐ do not enter the Amendment filed
2. ☐ The enclosed new Amendment
3. ☐ Consider the arguments in the appeal brief filed \_\_\_ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☒ The enclosed Information Disclosure Statement  
☐ IDS Letter ☐ Cited Appln ☐ Foreign Search Report/OA  
☒ PTO-1449 ☒ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of \_\_\_ months (3 mos. Max) for which charge the required \$130 fee (fee code 098) to our Deposit Account (see below).
7. Petition is hereby made to extend the **original** due date of \_\_\_ to cover the date  
this Request is filed. **PLEASE CHARGE** the requisite fee to our Deposit  
Account (see below) (1 mo) \$110/\$55  
(2 mos) \$410/\$205 + 0  
(3 mos) \$930/\$465
8. **PLEASE CHARGE** the Rule 17(e) (RCE) filing fee of ☐ \$750 (lg. ent.) ☐ \$375 (sm. ent.) plus any  
deficiency and any other fee due now or later to our Deposit  
Account No. 16-1805 under Order No. 51270 / 245618

**NOTE: Rule 17(e) filing fee Cannot be deferred!**  
**NO CLAIMS FEE REQUIRED** unless you are  
adding claims by box 2 Amendment in which case  
cover this with PAT-120.Pillsbury Winthrop LLP  
Intellectual Property Group725 South Figueroa Street,  
Suite 2800  
Los Angeles, CA 90017-5406

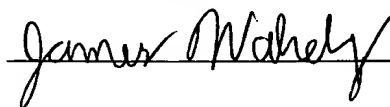
By Atty:

James Wakely

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